

**TOWN OF BIG FLATS AGENDA
WEDNESDAY, AUGUST 10, 2016 AT 4:30P.M.**

TOWN BOARD

CALL TO ORDER

CONCERNS OF THE PEOPLE

REPORTS

NEW BUSINESS

Budget Transfer & Recoding Vouchers

Abstract of Audited Vouchers

Authorize Bookkeeper to make Budget Transfers and Recoding of Vouchers

Setting a Public Hearing/ Local Law #4, Amendment to section 17.36.100” *Recreation Parks, Playground, and Open Space Requirements*

Travel Allowance Policy

Communication Log

PROPOSED RESOLUTION NO.01-081016
BUDGET TRANSFER AND RECODE VOUCHERS

Resolution by:

Seconded by:

WHEREAS a memorandum was received from the Bookkeeper, dated August 3, 2016 requesting authorization for a Budget transfer, and recoding vouchers, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the following Budget Transfer, and recode vouchers:

Budget Transfers-General Fund

Please authorize a budget transfer for the following overspent budgets:

To	Central Data Processing -CE-A.1680.0400	5,000	
From	Contingency -CE A.1990.0400		5,000

Recode Vouchers

Please authorize to recode vouchers #400-6330, 6518, 6587, 7198, 7349 due to voucher coding error,

To	Buildings -CE A.1620.0400-CE	589.27	
	Central Print & Mail-CE A.1670.0400	114.87	
	Central Data Processing -CE A.1680.0400	1,005.00	
	Central Data Processing -CE A.1680.0400	1,087.00	
From	Community Center-Rec Center-CE A7140.0400		704.14
	Justice-CE A.1110.0400		1,087.00
	Town Clerk CE A.1410.0400		1,005.00

Recode Vouchers -Water Dept

Please authorize to recode vouchers #400-7255 due to voucher coding error,

To	Central Data Processing-CE S4.1680.0400	41.80	
	Central Data Processing -CE S5.1680.0400	2,048.20	
From	Administration -CE S4.8310.0400		41.80
	Administration-CE S5.8310.0400		2,048.20

CARRIED: AYES:

NAYS:

ABSENT:

PROPOSED RESOLUTION NO. 02-081016
A RESOLUTION TO APPROVE THE ABSTRACT OF AUDITED VOUCHERS FOR
AUGUST 10, 2016

Resolution by:

Seconded by:

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for August 10, 2016, and order the bills paid, when in funds, for the following:

GENERAL FUND	\$ 27,847.28
HIGHWAY FUND	\$ 106,418.14
WATER DISTRICT #4	\$ 473.80
WATER DISTRICT #5	\$ 13,776.32
TRUST FUND	\$ 1,985.57

CARRIED: AYES:

NAYS:

PROPOSED RESOLUTION NO.03-081016
A RESOLUTION TO AUTHORIZE THE TOWN'S BOOKKEEPER OR AS APPOINTED BY
THE TOWN SUPERVISOR TO MAKE BUDGET TRANSFERS AND RECODING OF
VOUCHERS NOT TO EXCEED \$1,500

Resolution by:

Seconded by:

WHEREAS several small budget transfers need to be made during the month due to over-budgets, and

WHEREAS the Town Supervisors over sees such transfers and voucher recoding's during the month, and

WHEREAS such transfers and recoding's will be reported to the Town Supervisor within a five-day period, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

THEREFORE, BE IT RESOLVED that the Town Board authorizes the Town Supervisor to appoint the Town's Bookkeeper or an appointee by the Town Supervisor, to make changes in the voucher recoding and budget transfer. Such changes, are not to exceed \$1,500, will be reported to the Town Supervisor for retention of these transactions.

CARRIED: AYES:

NAYS:

PROPOSED RESOLUTION NO. 04-081016
A RESOLUTION TO SET A PUBLIC HEARING REGARDING A PROPOSAL TO
APPROVE TENTATIVE LOCAL LAW NO.4, TO AMEND SECTION 17.36.100,
REGARDING "RECREATION PARKS, PLAYGROUNDS, AND OPEN SPACE
REQUIREMENTS" AUGUST 24, 2016 AT 7:00 PM

Resolution by:

Seconded by:

WHEREAS Section 17.36.100 of the Town Municipal Code is seriously out of date and not in conformance with Section 274-a (passed in 1992) of the NY Town law and also not in conformance with Baywater Realty & Capital Corp. v Planning Board of the Town of Lewiston, 76 NY2d 460 (1990)) which required that specific findings must be made by a planning board prior to requiring the reservation of parkland or imposition of a fee in lieu thereof and also not in compliance with the following US Supreme Court decisions: Dolan v. City of Tigard, 512 US 374 (1994) and City of Monterey v. Del Monde Dunes at Monterey, Ltd., 526 US 687 (1999), and

WHEREAS it is extremely important that our Code contains the requirement that specific findings must be made by a planning board prior to requiring the reservation of parkland or imposition of a fee in lieu thereof when considering the approval of residential subdivisions, and

WHEREAS for environmental review, a ministerial act is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, and

WHEREAS this proposed local law modifies our code by substituting present section 17.36.100 (A)(1) with the wording below as highlighted and it modifies section 17.336.100(C)(1) as highlighted below and with renumbering or lettering of subdivisions also as highlighted below and makes no changes in the rest of Section 17.36.100, now

BE IT RESOLVED THEREFORE that the Town Board sets a public hearing, August 24, 2016 at 7:00 pm, regarding tentatively Local Law No. 4 of 2016, an Amendment to Section 17.36.100 of the Municipal Code, Recreation Parks, Playgrounds, and Open Space Requirements.

17.36.100 - Recreation parks, playgrounds, and open space requirements.

A. For an alternative dwelling park, PMRD, PUD, or multi-unit dwelling development.

1. Consistent with the Town of Big Flats Comprehensive Plan, a park, playground, and/or open space may be required for an alternative dwelling park, PMRD, any PUD that includes a residential component, or multi-unit dwelling development. Land for a park, playground or other recreational purposes **may not be required** until the Planning Board has made a finding that a proper case exists for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the town and if such a case exists the site plan shall show a park or parks suitably located therein unless there are no suitable place for a park of adequate size. Such findings shall include an evaluation of the present and anticipated future needs for a park(s) and

recreational facilities in the Town based on projected population growth to which the particular subdivision plat will contribute.

17.36.100

C. Alternative for a Park, Playground, and Open Space Requirement.

1. In the event the planning board makes a finding pursuant to paragraph A(1) of this subdivision that the proposed site plan presents a proper case for requiring a park or parks suitably located for playgrounds or other recreational purposes, but that a suitable park or parks of adequate size to meet the requirement cannot be properly located on such site plan, the planning board may require a sum of money in lieu thereof to be established by the Town Board. In making such determination of suitability, the board shall assess the size and suitability of lands shown on the site plan which could be possible locations for park or recreational facilities, as well as practical factors including whether there is a need for additional facilities in the immediate neighborhood. Any monies required by the authorized board in lieu of land for park, playground or other recreational purposes, pursuant to the provisions of this section, shall be deposited into a reserve fund to be used by the town exclusively for park, playground or other recreational purposes, including the acquisition of property.

2. When it is determined by the Planning Board that in an alternative dwelling park, multi-unit dwelling development, PUD, or PMRD, a park and/or playground is not practical due to the size, shape and/or the character of the development and the site plan shall be:

a. Referred to the town's park commission for review and report to the Planning Board regarding any public park and/or playground resource likely to be impacted and the effect the development may have on such public resource:

b. Referred to the Town Assessor who shall make a report to the Planning Board with a cost estimate of the per square foot value of the land being considered for an alternative dwelling park, multi-unit dwelling development, PUD, or PMRD based on current assessment data.

3. The information provided in the report received in accordance with subsection (C)(1) of this section shall be utilized by the planning board to validate any impact associated with an alternative dwelling park, multi-unit dwelling development, PUD, or PMRD on an existing public park and/or playground resource and to calculate a payment in lieu of park and/or playground land.

4. To calculate a required payment in lieu of park and/or playground land, multiply the required area in square feet of park and/or playground required in subsection B of this section times the per square foot value of the land as determined by the Assessor in subsection (C)(2)(b) of this section.

5. The above information shall be submitted to the Town Board for it to pass a resolution setting forth the sum to be collected.

6. When the provisions of subsection C of this section are invoked, the payment in lieu of park and/or playground land shall be made to the Town prior to an approval of a preliminary subdivision plat or site plan.

7. If the land included in a site plan under review is a portion of a subdivision plat which has been reviewed and approved previously (See Section 276 of the NY Town Law), the Planning Board shall credit the applicant for any land set aside or money donated in lieu thereof under such subdivision plat approval. In the event of re-subdivision of such plat, nothing shall preclude the additional reservation of parkland or money donated in lieu thereof.

CARRIED: AYES:

NAYS:

PROPOSED RESOLUTION NO. 05-081016
RESOLUTION TO TRAVEL ALLOWANCE POLICY

Resolution by:
Seconded by:

WHEREAS, per the NYS Comptroller's Office it is prudent for the Town to adopt a policy regarding official business travel allowances, and

WHEREAS for environmental review, ministerial act is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts the following policy:

POLICY ON TRAVEL ALLOWANCE

The purpose of this policy is to establish guidelines for the reimbursement of town business related out-of-town travel expenses by officers and employees. There is no reimbursement for out-of-town travel expenses that are not Town business related. Since all travel expenses allowed are paid for by public funds, employees and officers should exercise due care while incurring such expenses. For all travel, except for mandatory training, on Town business there should be prior approval by the Town Supervisor or Town Board. Travel for mandatory training shall be scheduled by the department head and remain within budgetary limits. Any other travel previously approved by the Town Board shall be scheduled by the department head or Town Supervisor.

The Town of Big Flats is a tax-exempt organization and, as such, an officer or staff person should whenever possible bring along a sales-tax exempt certificate for car rental, lodging and making any purchases in New York State. The Town Clerk shall maintain and make available to officers and staff a copy of such tax-exempt certificate.

1. Approvals

All out-of-town travel plans require prior approval by the Town Supervisor, or by the Town Board.

2. Transportation

Air Transportation: All business air travel must be in economy class unless travel is international and flight time is ten hours or more in duration. In those cases, business class may be permitted if approved before incurring the expense. When making an airline reservation, employees are to request flights in accordance with required departure/arrival times that utilize the lowest fare prices and most direct routes for the traveler's flight itinerary. The last page of an original airline ticket, called the "passenger receipt", is required for reimbursement, or in the case of E-tickets, the receipt provided or the ticket itinerary from the travel agent.

When planning your airline itinerary, consider the following cost saving strategies:

Stay over one Saturday night. Many discounted airfares require staying over a Saturday night.

Compare the cost of hotel and meal expenses of staying Saturday night to the savings in airfare.

Make reservations in advance, most discounted fares are available when purchased several days prior to departure.

Be flexible in selection of airlines and flight time.

Taxi and other Local Transportation: The cost of taxis or carfare to and from places of business, hotels, airports or railroad stations in connection with out-of-town business travel is reimbursable. Receipts must be secured in order to be reimbursed.

The use of a personal automobile is discouraged, except for regional travel. Personal vehicle travel shall be reimbursed at a stated IRS rate in effect at the time of travel. IRS mileage reimbursement rate is .56 cents per mile as of January 1, 2014. Normally, the Town adopts the IRS standard reimbursement rate for personal auto use, for fuel, insurance, depreciation, and any other costs of usage. This is modified annually and can be found at www.irs.gov and a search for "mileage rates." This mileage rate shall be used as the basis for reimbursement by the Town and the Town shall not reimburse for the purchase of gasoline and/or oil. Employees and officers shall, at the commencement of and the ending of, any travel with a personal auto note in writing the odometer reading of the auto used. Parking and tolls should be itemized separately and receipts should be included. Reimbursement should not exceed the cost of commercial transportation, where such is available. For two or more persons traveling together in the same vehicle, only one person will be reimbursed for mileage.

Note: An employee involved in an auto accident while on Town business and driving his/her own car is covered by his/her own automobile policy for damage to the vehicle and property and must also notify the Town Clerk within 24 hours of an accident, in addition to notifying his or her insurance company.

Car Rental: All rentals should be midsize cars or smaller, unless there is a specific reason otherwise. Automobile rentals should be limited to situations where other means of transportation are not practical, economical or available. All liability and physical damage insurance coverage should be declined when renting a car in the name of the Town. The Town maintains comprehensive, collision and liability insurance on all vehicles rented or leased for official business and rental agencies generally charge an exorbitant fee for such coverage. It is mandatory to enter the Town of Big Flats as well as the individual's signature on the rental forms. If a rented vehicle is involved in an accident, the employee must notify the Town Clerk within 24 hours, in addition to notifying the car rental agency. Reimbursable costs include the daily rental fee, gasoline charges, parking and tolls. Note: Travelers should refill gas tanks before returning the vehicles. Rental companies often levy a charge for refueling, which is often more than the price of gas alone. Avoid "drop charges" by returning the vehicle to the renting location.

Parking, etc.: Airport parking of personal automobiles, tolls, and mileage incurred when on Town business will be reimbursed. Gas is not reimbursable; you get a claim for mileage on own vehicle.

3. Meals

The Town Board will reimburse for out-of-town business meal expenses (except the purchase of alcoholic beverages), provided such expenses are reasonable and appropriate and legitimate receipts are submitted and do not exceed maximum rates set forth below.

4. Personal Items

The cost of personal, non-business related items (such as magazines and pharmaceuticals) are not reimbursable even if incurred while on business travel.

5. Lodging

The Town Board will reimburse for lodging away from home that is required for business reasons. Requests for overnight lodging should, when possible, receive prior approval. When traveling, employees are expected to use reasonably priced hotels or motels, whenever possible. Travelers are strongly encouraged to use standard accommodations at reasonably priced mid-market hotels or motels. Requests should be made for business travelers or government rates or any other discounts. Original itemized hotel receipts are required for reimbursement. The Town does not approve accommodations at “up market” or luxury hotels (Ritz, Four Seasons, etc.) However, an exception for such may be made when a conference, workshop, or other college business is scheduled at a luxury or up-scale hotel where a discount is offered to individuals participating in such activities.

6. Gratuities

The Town Board will reimburse for reasonable and customary gratuities. Where gratuities are not shown on a receipt, they should be noted by the employee on a receipt for associated services (e.g. hotel bill). These are **NOT** subject to the maximum rates set by the GSA as forth below and designated as IE expenses (incidental expenses).

EXPENSE SUPPORT

Vouchers for reimbursement must be submitted to the Town Clerk’s Office with proof of payment, an explanation of the nature of the trip and the approval of the Town Supervisor or a Town Board Resolution approving the trip. If it is not possible to submit a receipt, a written explanation **may** be acceptable, subject to the approval of the Town Supervisor.

EXPENSE REIMBURSEMENT LIMITS

Maximum reimbursement travel expense limits for lodging, meals and “incidental expense allowance” are set by the Town to be as set forth by the United States General Services Administration. These rates are periodically modified and also vary from region to region. They can be found at www.gsa.gov/perdiem. There is also a mobile application where they can be accessed and that app can be located at the web site referred to in the preceding sentence. The maximum allowance set by the Town Board is not allowed to exceed the standard meal allowance for business travel prescribed for federal income tax purposes and that is set by the GSA on the web site referred to above. An employee or officer should produce receipts for

expenditures and if they indicate totals below the maximum allowance the employee or officer shall be reimbursed by the lower amount.

Any expenditures above the maximum rates should be approved by the Town Supervisor or Board before they are incurred. A higher rate might be acceptable if the hotel hosting a conference charges a higher than maximum rate and paying the higher rate may make more sense than having to reimburse for travel costs back and forth to a hotel charging the maximum or less rate. Also it might be acceptable if lodging is not available at the maximum rate and lodging at the maximum rate cannot be found reasonably close to the destination of the trip. Another example is if meals are included as part of the hotel/conference fee and the employee or officer cannot separate the food cost from the hotel/conference rate. And as another example justifying the allowance of a higher rate, is when an employee or officer might have special needs that necessitate increased expenses such as dietary restrictions, health concerns or handicapped access. Other exceptions may be approved in limited circumstances.

If Town issued credit cards are used for travel, the above maximum rates still apply and any charges over those rates must be reimbursed to the Town by the employee or officer and the employee or officer is required to attach original charge receipts to their request for reimbursement.

HEARING ON DENIALS

If any reimbursement requests are denied, the employee or officer shall have the right to ask for a hearing before the Town Board.

TRAVEL REIMBURSEMENT FORMS MAY BE OBTAINED FROM THE TOWN CLERK

CARRIED: AYES:
NAYS:

PROPOSED RESOLUTION NO. 06-081016

A RESOLUTION TO APPROVE THE COMMUNICATION LOG FOR AUGUST 10, 2016

Resolution by:

Seconded by:

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

August 1, 2016

Betsy Gorman Secretary for Big Flats Library Advocates RE: Thank you. *Referred to: Town Board, and filed with Town Clerk*

August 3, 2016

Charter Communications– RE: August 3, 2016 Programming Notice Changes *Referred to: Town Board, and filed with Town Clerk*

August 3, 2016

New York State of Opportunity, Department of Transportation RE: Transportation infrastructure project. *Referred to: Town Board, Department of Public Works and filed with Town Clerk*

August 3, 2016

Mohammad Latif RE: Community Picnic *Referred to: Town Board, and filed with Town Clerk*

August 4, 2016

Big Flats Business Association RE: Meeting minutes *Referred to: Town Board, and filed with Town Clerk.*

CARRIED: AYES:

NAYS: